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U.S. Department of Justice

United States Attorney

Southern District of New York

80 Chambers Street, 3rd Floor
New York, New York 10007

March 4, 2008

BY FEDERAL EXPRESS

The Honorable Kenneth M. Karas
United States District Judge
United States Courthouse
300 Quarropas St., Room 533
White Plains, NY 10601

MEMO ENDORSEDRe: Cardenas, et al. v. Phelps Memorial Hosp. Ctr., 07 C iv. 11145 (KMK)(GAY)

Dear Judge Karas:

This Office represents the Defendant and third-party defendant Open Door Family Medical Center, Inc. and its office in Ossining, New York, defendant and third-party defendant Ossining Open Door (collectively, "Open Door") in the above-referenced lawsuit. Enclosed are courtesy copies of the Notice of Motion of Open Door to Substitute the United States as Defendant and Third-Party Defendant and to Dismiss the Claims against the United States in the Amended Complaint, the accompanying Memorandum of Law in support, and declaration and exhibits.

I thank the Court for its consideration of this motion.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: 

LI YU

Assistant United States Attorney

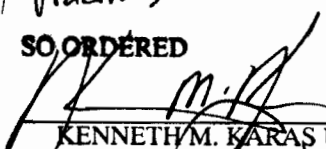
Telephone: (212)637-2734

Facsimile: (212)637-2686

cc: James P. Fitzgerald, Esq.
Fitzgerald & Fitzgerald, P.C.
538 Riverdale Ave.
Yonkers, NY 10705
Counsel for Plaintiffs

Rocco Conte, Esq.
O'Connor, McGuinness, Conte, Doyle & Oleson
One Barker Avenue, Suite 675
White Plains, NY 10601-1517
Counsel for Defendant and Third-Party Plaintiff Phelps Memorial Hospital Center

*The motion is denied
without prejudice for failure
to comply with the Court's
Individual Practice.*

SO ORDERED

KENNETH M. KARAS U.S.D.J.

3/18/08